

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PENSKE TRUCK LEASING CO., L.P.,

Plaintiff,

v.

USA TRUCK, INC.,

Defendant.

Case No. 1:07-CV-437

Hon. Richard Alan Enslen

ORDER

This matter is before the Court on Plaintiff Penske Truck Leasing Co., L.P.'s Motion for Reconsideration of the Court's January 2, 2008 Judgment. Pursuant to Western District of Michigan Local Civil Rule 7.4(a), reconsideration is appropriate only when the movant "demonstrate[s] a palpable defect by which the Court and the parties have been misled . . . [and] that a different disposition must result from the correction thereof."

Plaintiff argues the Court misapplied the application of Mich. Comp. Laws § 500.3106(2), although it does not cite any new authority or advance any new arguments in support of this proposition. The Court finds that no palpable error has been shown nor has it been shown that a different disposition should result. Simply put, the previous Judgment remains a proper disposition of the case for the reasons explained therein.

THEREFORE, IT IS HEREBY ORDERED that Plaintiff Penske Truck Leasing Co., L.P.'s Motion for Reconsideration (Dkt. No. 31) is **DENIED**.

DATED in Kalamazoo, MI:
February 8, 2008

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE